

To: Bray, Dave[Bray.Dave@epa.gov]; Ken Merrill[kmerrill@kalispeltribe.com]
From: Zach Welcker
Sent: Mon 2/26/2018 9:32:04 PM
Subject: RE: Kalispel Class I Designation

Hi Dave,

What’s the status of our Class I request? We were under the impression that EPA’s decision would be in the FR by now. Please advise.

Thanks,
Zach

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Thursday, February 08, 2018 10:18 AM
To: Ken Merrill
Cc: Zach Welcker
Subject: RE: Kalispel Class I Designation

Hi Ken,

I’m concerned and somewhat surprised as well but for a different reason. Your request doesn’t go to EPA headquarters because Region 10 has been delegated authority to approve these. Region 10 is the only Region that has such a delegation (because of the FARR) and the HQ Tribal folks should know that. We’ve followed the procedures in that delegation and our new Regional Administrator met with the new Assistant Administrator for Air (Bill Wehrum) last week to fulfill our obligation to consult with the AA.

The Federal Register proposing approval is ready to go and we’re working on getting a space in Newport for our public hearing. At this time, we’re just waiting for the green light from Bill Wehrum to move forward with the proposal.

I will touch base with the HQ tribal folks to make sure they understand where we are in the process. I wonder who the “EPA representative” was.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Thursday, February 08, 2018 9:53 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Zach Welcker <ZWelcker@kalispeltribe.com>
Subject: Kalispel Class I Designation

Hi David,
According to Kevin Greenleaf at the Kootenai Tribe, during an NTAA Listening Session for EPA TAC’s and Headquarters Indian Coordinators an EPA representative told the group that they have not had the formal request from the Tribe to R-10 sent to them yet.

I was somewhat concerned but not surprised when I heard that, and I was wondering if there any problems with the progress toward our redesignation approval.
Thanks --Ken

Kenneth R. Merrill

Manager - Water Resources ProgramH

Kalispel Tribe Natural Resources

PO Box 39, Usk, WA, 99180

(509) 447-7276 (office)

Ex. 6

(cell)



To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Mon 9/26/2016 10:26:43 PM
Subject: Kalispel questions on airshed redesignation

Hi Dave,

We were hoping to arrange another call with you soon to discuss some more questions. What time and day might work?

Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Fri 12/9/2016 7:29:33 PM
Subject: RE: Kalispel-EPA Airshed meeting
removed.txt

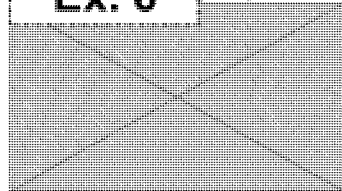
Dave- There is some uncertainty about whether there have been any increments already used by a PSD affecting the Kalispel airshed. We are assuming that the baseline has not been established yet. Is there a possibility of your technical staff confirming that before our meeting?

Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

(cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Thursday, December 08, 2016 5:13 PM
To: Ken Merrill
Cc: Zokan, Jim
Subject: RE: Kalispel-EPA Airshed meeting

Hi Ken,

Thanks for the update.

I'll send you the information on how to go through our security (I'll be giving them your names so the security folks will be expecting you).

This is your meeting so if you can provide an agenda (draft is OK) so that I can let folks know what will be discussed that would be greatly appreciated. Also if you have anything specific that you'd like us to be ready to discuss just let me know.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Thursday, December 08, 2016 1:53 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Zokan, Jim <Zokan.Jim@epa.gov>
Subject: Kalispel-EPA Airshed meeting

Hi Dave,

Here is some information you asked about in preparation for our meeting on the 15th. If you need anything more, please don't hesitate to ask.

- Presentation – We will bring a laptop with projector to facilitate discussion.
- Attendees – I will be there along with Callie Ridolfi and Elena Ramirez from Ridolfi Environmental, Zach and Deane

ED_002139_00005219-00001

will call in.

- Conf line – Jim said he could arrange for a conference call line so Zach and Deane can call in for the first part of the meeting.

Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

(cell)



***** ATTACHMENT REMOVED *****

This message contained an attachment which the administrator has caused to be removed.

***** ATTACHMENT REMOVED *****

Attachment name: [image001.jpg]
Attachment type: [image/jpeg]

To: Bray, Dave[Bray.Dave@epa.gov]
Cc: Zokan, Jim[Zokan.Jim@epa.gov]; Deane Osterman[dosterman@kalispeltribe.com]; Zach Welcker[ZWelcker@kalispeltribe.com]; callie@ridolfi.com[callie@ridolfi.com]
From: Ken Merrill
Sent: Fri 12/9/2016 4:46:33 PM
Subject: RE: Kalispel-EPA Airshed meeting

Hi Dave,
Here is a draft agenda. See you on the 15th. --Ken

10:30 - Introductions
10:40 - Discussion of airshed redesignation approval process at Region 10
11:00 - Description of proposed approach for technical report with discussion

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Thursday, December 08, 2016 5:13 PM
To: Ken Merrill
Cc: Zokan, Jim
Subject: RE: Kalispel-EPA Airshed meeting

Hi Ken,

Thanks for the update.

I'll send you the information on how to go through our security (I'll be giving them your names so the security folks will be expecting you).

This is your meeting so if you can provide an agenda (draft is OK) so that I can let folks know what will be discussed that would be greatly appreciated. Also if you have anything specific that you'd like us to be ready to discuss just let me know.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Thursday, December 08, 2016 1:53 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Zokan, Jim <Zokan.Jim@epa.gov>
Subject: Kalispel-EPA Airshed meeting

Hi Dave,
Here is some information you asked about in prepartation for our meeting on the 15th. If you need anything more, please don't hesitate to ask.

- Presentation – We will bring a laptop with projector to facilitate discussion.
- Attendees – I will be there along with Callie Ridolfi and Elena Ramirez from Ridolfi Environmental, Zach and Deane will call in.
- Conf line – Jim said he could arrange for a conference call line so Zach and Deane can call in for the first part of the meeting.

Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

cell)



To: Bray, Dave[Bray.Dave@epa.gov]
Cc: Zokan, Jim[Zokan.Jim@epa.gov]
From: Ken Merrill
Sent: Thur 12/8/2016 9:52:30 PM
Subject: Kalispel-EPA Airshed meeting

Hi Dave,

Here is some information you asked about in preparation for our meeting on the 15th. If you need anything more, please don't hesitate to ask.

- Presentation – We will bring a laptop with projector to facilitate discussion.
- Attendees – I will be there along with Callie Ridolfi and Elena Ramirez from Ridolfi Environmental, Zach and Deane will call in.
- Conf line – Jim said he could arrange for a conference call line so Zach and Deane can call in for the first part of the meeting.

Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 cell)

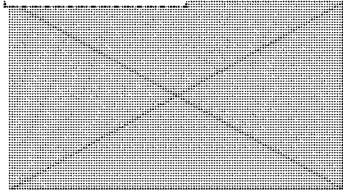


To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Tue 11/22/2016 5:39:06 PM
Subject: RE: Kalispel meeting on December 15
removed.txt

Very good. Thanks

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Tuesday, November 22, 2016 9:39 AM
To: Ken Merrill
Subject: RE: Kalispel meeting on December 15

Even if you send it that morning before you leave, I can make sure it is ready to show when you get here.

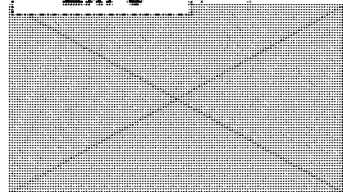
Dave

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Tuesday, November 22, 2016 8:11 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Kalispel meeting on December 15

OK. I will send you the presentation when it's ready, but it will be within days of our meeting date.
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, November 21, 2016 4:45 PM
To: Ken Merrill
Subject: RE: Kalispel meeting on December 15

Thanks Ken.

The room I've reserved will be able to display the presentation. But you won't be able to connect your computer to our network so email me the presentation the day before and I'll make sure that it is loaded onto an EPA computer and is ready to show.

Looking forward to our continued discussion.

Dave

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]

Sent: Monday, November 21, 2016 4:02 PM

To: Bray, Dave <Bray.Dave@epa.gov>

Subject: RE: Kalispel meeting on December 15

Hi Dave,

It will be me, Zach – our senior policy advisor, Deane – Executive Director of Natural Resources, and Callie Ridolfi (consultant). Callie will give a brief power point presentation of the report content. If possible, a room with the capability to show the presentation would be good.

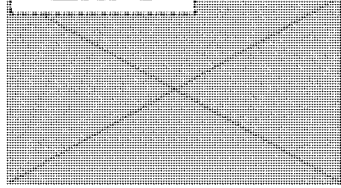
Thanks again --Ken

Ken Merrill

Water Resources Program

(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [<mailto:Bray.Dave@epa.gov>]

Sent: Monday, November 21, 2016 1:46 PM

To: Ken Merrill

Subject: RE: Kalispel meeting on December 15

No problem.

Who all will be coming from the Tribe?

Just trying to figure out who all from EPA I want to invite. For example, if your attorney is coming, I would want to invite the Region 10 attorney who would end up working on any PSD reclassification.

Dave

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]

Sent: Monday, November 21, 2016 1:37 PM

To: Bray, Dave <Bray.Dave@epa.gov>

Subject: RE: Kalispel meeting on December 15

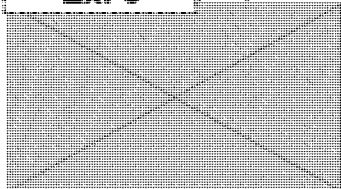
Thanks Dave

Ken Merrill

Water Resources Program

(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [<mailto:Bray.Dave@epa.gov>]

Sent: Monday, November 21, 2016 12:17 PM

To: Ken Merrill

Cc: Wilson, Wenona; Zach Welcker; Dossett, Donald; McAlpine, Jay

Subject: RE: Kalispel meeting on December 15

Hi Ken,

I've confirmed that folks will be available at 10:30 on December 15 to meet. I'll get back to you with more details on where we'll be meeting and procedures for getting through our security as the date gets closer.

Dave

David C. Bray

Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]

Sent: Friday, November 18, 2016 9:49 AM

To: Bray, Dave <Bray.Dave@epa.gov>

Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>

Subject: Kalispel meeting on December 15

Hi Dave,

I was checking to see if the proposed December 15th meeting date will still work. I can't remember the exact time we talked about, but around 10:30 would be best for us with the long commute. Please let me know if we can harden up the calendar and schedule it with our consultant.

Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

(cell)



***** ATTACHMENT REMOVED *****

This message contained an attachment which the administrator has caused to be removed.

***** ATTACHMENT REMOVED *****

Attachment name: [image001.jpg]
Attachment type: [image/jpeg]

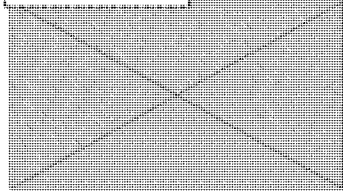
To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Tue 11/22/2016 4:10:32 PM
Subject: RE: Kalispel meeting on December 15
removed.txt

OK. I will send you the presentation when it's ready, but it will be within days of our meeting date.
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

(cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, November 21, 2016 4:45 PM
To: Ken Merrill
Subject: RE: Kalispel meeting on December 15

Thanks Ken.

The room I've reserved will be able to display the presentation. But you won't be able to connect your computer to our network so email me the presentation the day before and I'll make sure that it is loaded onto an EPA computer and is ready to show.

Looking forward to our continued discussion.

Dave

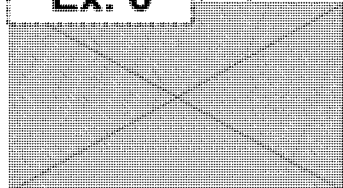
From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Monday, November 21, 2016 4:02 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Kalispel meeting on December 15

Hi Dave,
It will be me, Zach – our senior policy advisor, Deane – Executive Director of Natural Resources, and Callie Ridolfi (consultant). Callie will give a brief power point presentation of the report content. If possible, a room with the capability to show the presentation would be good.
Thanks again --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

(cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, November 21, 2016 1:46 PM
To: Ken Merrill
Subject: RE: Kalispel meeting on December 15

No problem.

Who all will be coming from the Tribe?

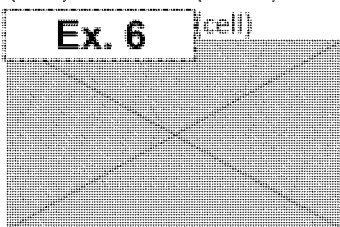
Just trying to figure out who all from EPA I want to invite. For example, if your attorney is coming, I would want to invite the Region 10 attorney who would end up working on any PSD reclassification.

Dave

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]
Sent: Monday, November 21, 2016 1:37 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Kalispel meeting on December 15

Thanks Dave

Ken Merrill
Water Resources Program
(509) 447-7276 (office)



From: Bray, Dave [<mailto:Bray.Dave@epa.gov>]
Sent: Monday, November 21, 2016 12:17 PM
To: Ken Merrill
Cc: Wilson, Wenona; Zach Welcker; Dossett, Donald; McAlpine, Jay
Subject: RE: Kalispel meeting on December 15

Hi Ken,

I've confirmed that folks will be available at 10:30 on December 15 to meet. I'll get back to you with more details on where we'll be meeting and procedures for getting through our security as the date gets closer.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]
Sent: Friday, November 18, 2016 9:49 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>
Subject: Kalispel meeting on December 15

Hi Dave,

I was checking to see if the proposed December 15th meeting date will still work. I can't remember the exact time we talked about, but around 10:30 would be best for us with the long commute. Please let me know if we can harden up the calendar and schedule it with our consultant.

Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



***** ATTACHMENT REMOVED *****

This message contained an attachment which the administrator has caused to be removed.

***** ATTACHMENT REMOVED *****

Attachment name: [image001.jpg]
Attachment type: [image/jpeg]

To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Tue 11/22/2016 12:02:27 AM
Subject: RE: Kalispel meeting on December 15
removed.txt

Hi Dave,

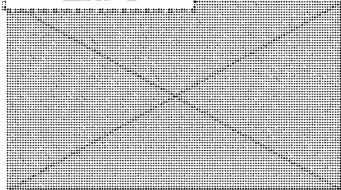
It will be me, Zach – our senior policy advisor, Deane – Executive Director of Natural Resources, and Callie Ridolfi (consultant). Callie will give a brief power point presentation of the report content. If possible, a room with the capability to show the presentation would be good.

Thanks again --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

(cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, November 21, 2016 1:46 PM
To: Ken Merrill
Subject: RE: Kalispel meeting on December 15

No problem.

Who all will be coming from the Tribe?

Just trying to figure out who all from EPA I want to invite. For example, if your attorney is coming, I would want to invite the Region 10 attorney who would end up working on any PSD reclassification.

Dave

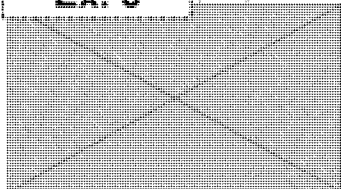
From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Monday, November 21, 2016 1:37 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Kalispel meeting on December 15

Thanks Dave

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

(cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, November 21, 2016 12:17 PM
To: Ken Merrill
Cc: Wilson, Wenona; Zach Welcker; Dossett, Donald; McAlpine, Jay
Subject: RE: Kalispel meeting on December 15

Hi Ken,

I've confirmed that folks will be available at 10:30 on December 15 to meet. I'll get back to you with more details on where we'll be meeting and procedures for getting through our security as the date gets closer.

Dave

David C. Bray

Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]

Sent: Friday, November 18, 2016 9:49 AM

To: Bray, Dave <Bray.Dave@epa.gov>

Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>

Subject: Kalispel meeting on December 15

Hi Dave,

I was checking to see if the proposed December 15th meeting date will still work. I can't remember the exact time we talked about, but around 10:30 would be best for us with the long commute. Please let me know if we can harden up the calendar and schedule it with our consultant.

Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



***** ATTACHMENT REMOVED *****

This message contained an attachment which the administrator has caused to be removed.

***** ATTACHMENT REMOVED *****

Attachment name: [image001.jpg]
Attachment type: [image/jpeg]

To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Tue 5/30/2017 8:39:26 PM
Subject: Kalispel Class 1

Hi David,
I left you a voice mail, but we were hoping to arrange a call with you at your earliest convenience about our Class 1 submittal.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Ken Merrill[kmerrill@kalispeltribe.com]
Cc: Zach Welcker[ZWelcker@kalispeltribe.com]
From: Bray, Dave
Sent: Thur 2/8/2018 6:17:43 PM
Subject: RE: Kalispel Class I Designation

Hi Ken,

I'm concerned and somewhat surprised as well but for a different reason. Your request doesn't go to EPA headquarters because Region 10 has been delegated authority to approve these. Region 10 is the only Region that has such a delegation (because of the FARR) and the HQ Tribal folks should know that. We've followed the procedures in that delegation and our new Regional Administrator met with the new Assistant Administrator for Air (Bill Wehrum) last week to fulfill our obligation to consult with the AA.

The Federal Register proposing approval is ready to go and we're working on getting a space in Newport for our public hearing. At this time, we're just waiting for the green light from Bill Wehrum to move forward with the proposal.

I will touch base with the HQ tribal folks to make sure they understand where we are in the process. I wonder who the "EPA representative" was.

Dave

David C. Bray

Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

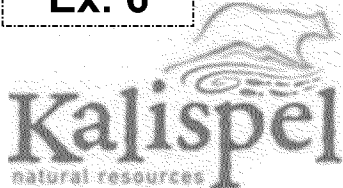
From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Thursday, February 08, 2018 9:53 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Zach Welcker <ZWelcker@kalispeltribe.com>
Subject: Kalispel Class I Designation

Hi David,
According to Kevin Greenleaf at the Kootenai Tribe, during an NTAA Listening Session for EPA TAC's and Headquarters Indian Coordinators an EPA representative told the group that they have not had the formal request from the Tribe to R-10 sent to them yet.

I was somewhat concerned but not surprised when I heard that, and I was wondering if there any problems with the progress toward our redesignation approval.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources ProgramH
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Zach Welcker[ZWelcker@kalispeltribe.com]
From: Bray, Dave
Sent: Wed 1/17/2018 9:18:34 PM
Subject: RE: response regarding use of prognostic data

Hi Zach,

Good timing.

We're briefing our new Regional Administrator (Chris Hladick) tomorrow and he'll be meeting with our new Assistant Administrator (Bill Wehrum) the last week of this month. So we're hopeful that we'll be given the green light by the first of February to move ahead and publish the Federal Register Notice proposing to approve the Tribe's redesignation.

If all goes well, we should get the FR published mid to late February and then hold a public hearing in Newport in late March (30 days after the FR is printed). We're planning on using a large conference room at a local government office so that it's pretty much as neutral a site as we can find.

Let me know if you have any questions and I'll definitely give you a heads up when we move the FR forward.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Wednesday, January 17, 2018 12:32 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: response regarding use of prognostic data

Hi Dave,

Any news on the Tribe's Class I Redesignation submittal?

Thanks,
Zach

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Tuesday, December 19, 2017 12:47 PM
To: Zach Welcker; McAlpine, Jerrold
Cc: Ken Merrill; Deane Osterman
Subject: RE: response regarding use of prognostic data

Hi Zach,

We definitely understand the Tribe's concern here and are in full agreement that we need a modeling analysis that accurately predicts the near field impacts of the project.

But I don't think that we have a position yet on whether that can be done for this project with prognostic met data in lieu of site-specific met data because we don't yet have either a WRF performance evaluation which demonstrates that the prognostic data is representative, nor any information that collecting site specific data here would not be cost prohibitive, given the approximately 2 years it would take to site a station and collect a year of PSD quality met data.

Jay will continue to work with you and Ecology as the development of the modeling protocol and modeling analyses proceed and

ED_002139_00006211-00001

we'll continue our internal discussions on this question to firm up our understanding of what the Modeling Guideline recommends for met data.

Dave

David C. Bray

Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Zach Welcker [<mailto:ZWelcker@kalispeltribe.com>]

Sent: Tuesday, December 19, 2017 10:53 AM

To: McAlpine, Jerrold <McAlpine.Jay@epa.gov>

Cc: Ken Merrill <kmerrill@kalispeltribe.com>; Deane Osterman <dosterman@kalispeltribe.com>; Bray, Dave <Bray.Dave@epa.gov>

Subject: Re: response regarding use of prognostic data

Thanks for the quick response, Jay.

The plain language of App'x W does not support OAQPS's interpretation. 8.4.1(c) says nothing about equal footing; it merely acknowledges that prognostic data may be used. 8.4.5.1 specifies when prognostic data may be used, i.e. when it is cost prohibitive or infeasible to collect site-specific data. These limitations reinforce EPA's preference for site-specific data.

In any event, there's no mandate to use prognostic data. EPA does, however, have a trust obligation to the Tribe, and that obligation is compelling here because the Reservation is only 10 miles from the proposed facility and some tribal members live much closer to the facility. Met conditions in Newport are so unique that we feel it is necessary to collect site-specific data to accurately predict the smelter's near field impacts. We expect EPA, as our trustee, to support this request.

Appreciate the help,
Zach

Sent by phone

On Dec 18, 2017, at 2:55 PM, McAlpine, Jerrold <McAlpine.Jay@epa.gov> wrote:

All,

I had a quick response from Tyler Fox of OAQPS today regarding the question of use of prognostic data when collection of site-specific data is feasible for a project:

Tyler confirmed Appendix W does not require the use of site-specific data over the other options of NWS and prognostic data. Therefore, the three options of site-specific, NWS/ASOS, and prognostic data use are on "equal footing" regarding their use for NSR permitting. This is emphasized in the requirement under Appendix W Section 8.4.1(c). Although site-specific data continues to be preferred, it is not required.

The wording in Section 8.4.5.1 that states "it may be cost prohibitive or infeasible to collect adequately representative site-specific data" is not intended to pose a requirement on reviewing authorities that they must demonstrate infeasibility of site-specific monitoring before allowing use of prognostic data.

Tyler invited us to engage folks in OAQPS to assist with recommendations regarding the WRF performance evaluation, to ensure the State is requiring a sufficient level of review. If the applicant or State cannot demonstrate the prognostic meteorological data are representative of transport and dispersion conditions in the vicinity of the source, then a site-specific dataset will be necessary.

Jay

Jay McAlpine, PhD
Atmospheric Scientist, Regional Modeling Contact
Office of Air and Waste
U.S. Environmental Protection Agency, Region 10
1200 6th Ave., OAW-150
Seattle, WA 98101
206.553.0094
McAlpine.Jay@epa.gov

To: Zach Welcker[ZWelcker@kalispeltribe.com]
From: Bray, Dave
Sent: Thur 11/30/2017 8:28:17 PM
Subject: RE: call

I can make that work.

Call me at (206) 553-4253.

Dave

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Thursday, November 30, 2017 12:05 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: call

That works for me, but Deane is gone until 1:30. Any chance we could talk at 2?

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Thursday, November 30, 2017 12:02 PM
To: Zach Welcker
Subject: RE: call

Does 1 pm work for you all?

Dave

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Thursday, November 30, 2017 11:18 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: call

PSD redesignation and the Tribe's associated rights. We also want to better understand PSD monitoring.

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Thursday, November 30, 2017 11:16 AM
To: Zach Welcker
Subject: RE: call

Topic? Hi-Test or PSD redesignation?

Just thinking about whether I should grab someone else in addition to me.

Dave

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Thursday, November 30, 2017 11:13 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: call

Just Deane and me on our end.

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Thursday, November 30, 2017 11:12 AM
To: Zach Welcker
Subject: RE: call

Yep.

Just you and me or do we need to coordinate with others?

Dave

From: Zach Welcker [<mailto:ZWelcker@kalispeltribe.com>]

Sent: Thursday, November 30, 2017 11:09 AM

To: Bray, Dave <Bray.Dave@epa.gov>

Subject: call

Hi Dave,

Do you have time today for a quick call?

Zach

To: Zach Welcker[ZWelcker@kalispeltribe.com]
From: Bray, Dave
Sent: Thur 11/30/2017 8:01:40 PM
Subject: RE: call

Does 1 pm work for you all?

Dave

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Thursday, November 30, 2017 11:18 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: call

PSD redesignation and the Tribe's associated rights. We also want to better understand PSD monitoring.

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Thursday, November 30, 2017 11:16 AM
To: Zach Welcker
Subject: RE: call

Topic? Hi-Test or PSD redesignation?

Just thinking about whether I should grab someone else in addition to me.

Dave

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Thursday, November 30, 2017 11:13 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: call

Just Deane and me on our end.

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Thursday, November 30, 2017 11:12 AM
To: Zach Welcker
Subject: RE: call

Yep.

Just you and me or do we need to coordinate with others?

Dave

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Thursday, November 30, 2017 11:09 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: call

Hi Dave,

Do you have time today for a quick call?

Zach

To: Zach Welcker[ZWelcker@kalispeltribe.com]
From: Bray, Dave
Sent: Thur 11/30/2017 7:15:44 PM
Subject: RE: call

Topic? Hi-Test or PSD redesignation?

Just thinking about whether I should grab someone else in addition to me.

Dave

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Thursday, November 30, 2017 11:13 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: call

Just Deane and me on our end.

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Thursday, November 30, 2017 11:12 AM
To: Zach Welcker
Subject: RE: call

Yep.

Just you and me or do we need to coordinate with others?

Dave

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Thursday, November 30, 2017 11:09 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: call

Hi Dave,

Do you have time today for a quick call?

Zach

To: Zach Welcker[ZWelcker@kalispeltribe.com]; Khatibi, Mehrdad[khatibi.mehrdad@epa.gov]
Cc: Ken Merrill[kmerrill@kalispeltribe.com]; Deane Osterman[dosterman@kalispeltribe.com]
From: Bray, Dave
Sent: Thur 7/13/2017 5:39:23 PM
Subject: RE: Response to June 29, 2017 EPA Letter RE Class I Redesignation Proposal of the Kalispel Tribe

Zach,

No, we're sorry for your inconvenience of having to send multiple emails. But thank you very much for taking this extra step when you really only had to send the thumb drive. It will allow us to move things forward faster than waiting for the thumb drive to make it down to us.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Zach Welcker [mailto:ZWelcker@kalispeltribe.com]
Sent: Thursday, July 13, 2017 10:30 AM
To: Khatibi, Mehrdad <khatibi.mehrdad@epa.gov>
Cc: Ken Merrill <kmerrill@kalispeltribe.com>; Bray, Dave <Bray.Dave@epa.gov>; Deane Osterman <dosterman@kalispeltribe.com>
Subject: Response to June 29, 2017 EPA Letter RE Class I Redesignation Proposal of the Kalispel Tribe

Mehrdad,

Please find attached a letter from Chairman Nenema responding to EPA's June 29, 2017 request for additional information regarding the Kalispel Tribe's proposal to redesignate the lands within the exterior boundaries of its original Reservation to a Class I area under the Clean Air Act's PSD Program. The original letter, along with a thumb drive containing the requested information, will be mailed to Ms. Pirzadeh later today.

I will also send the requested information in a series of emails to follow. Sorry for the inconvenience, but the files are too large to send in a single email.

Please let us know if you have additional questions.

Thanks,
Zach

Zach Welcker
Senior Policy Analyst
Kalispel Tribe of Indians
(509) 447-7448 (office)

Ex. 6 (cell)



To: Ken Merrill[kmerrill@kalispeltribe.com]
From: Bray, Dave
Sent: Wed 5/31/2017 8:23:56 PM
Subject: RE: Kalispel Class 1

Hi Ken,

If this gets to you before 1:30, call me at 206-553-1059.

Dave

From: Bray, Dave
Sent: Tuesday, May 30, 2017 2:19 PM
To: 'Ken Merrill' <kmerrill@kalispeltribe.com>
Subject: RE: Kalispel Class 1

That works for me.

Call me at 206-553-4253.

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]
Sent: Tuesday, May 30, 2017 2:15 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Kalispel Class 1

Hi David- How about 1:30 tomorrow? We can call you – which number?
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

 (cell)



From: Bray, Dave [<mailto:Bray.Dave@epa.gov>]
Sent: Tuesday, May 30, 2017 1:54 PM
To: Ken Merrill
Subject: RE: Kalispel Class 1

Hi Ken,

Just getting back from a week’s vacation and am working from home today.

I’ll be in the office tomorrow and Thursday and we can do a call either day. Mehrdad is out this week and he’s going to be the project manager for our approval of your Class I redesignation request but I can still give you an update of where things stand right now and an overview of our current schedule.

BTW, we heard from a consultant who's working on a PSD project which he says is located about 20 km south of the Reservation. We don't know if that is the smelter project or some other but it clearly isn't located in Usk.

Just let me know when you'd like to have a call.

Dave

David C. Bray

Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]

Sent: Tuesday, May 30, 2017 1:39 PM

To: Bray, Dave <Bray.Dave@epa.gov>

Subject: Kalispel Class 1

Hi David,
I left you a voice mail, but we were hoping to arrange a call with you at your earliest convenience about our Class 1 submittal.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Ken Merrill[kmerrill@kalispeltribe.com]
From: Bray, Dave
Sent: Tue 5/30/2017 9:18:52 PM
Subject: RE: Kalispel Class 1

That works for me.

Call me at 206-553-4253.

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Tuesday, May 30, 2017 2:15 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Kalispel Class 1

Hi David- How about 1:30 tomorrow? We can call you – which number?
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Tuesday, May 30, 2017 1:54 PM
To: Ken Merrill
Subject: RE: Kalispel Class 1

Hi Ken,

Just getting back from a week’s vacation and am working from home today.

I’ll be in the office tomorrow and Thursday and we can do a call either day. Mehrdad is out this week and he’s going to be the project manager for our approval of your Class I redesignation request but I can still give you an update of where things stand right now and an overview of our current schedule.

BTW, we heard from a consultant who’s working on a PSD project which he says is located about 20 km south of the Reservation. We don’t know if that is the smelter project or some other but it clearly isn’t located in Usk.

Just let me know when you’d like to have a call.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA

(206) 553-4253

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]

Sent: Tuesday, May 30, 2017 1:39 PM

To: Bray, Dave <Bray.Dave@epa.gov>

Subject: Kalispel Class 1

Hi David,
I left you a voice mail, but we were hoping to arrange a call with you at your earliest convenience about our Class 1 submittal.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Ken Merrill[kmerrill@kalispeltribe.com]
From: Bray, Dave
Sent: Tue 5/30/2017 8:53:38 PM
Subject: RE: Kalispel Class 1

Hi Ken,

Just getting back from a week’s vacation and am working from home today.

I’ll be in the office tomorrow and Thursday and we can do a call either day. Mehrdad is out this week and he’s going to be the project manager for our approval of your Class I redesignation request but I can still give you an update of where things stand right now and an overview of our current schedule.

BTW, we heard from a consultant who’s working on a PSD project which he says is located about 20 km south of the Reservation. We don’t know if that is the smelter project or some other but it clearly isn’t located in Usk.

Just let me know when you’d like to have a call.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Tuesday, May 30, 2017 1:39 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: Kalispel Class 1

Hi David,
I left you a voice mail, but we were hoping to arrange a call with you at your earliest convenience about our Class 1 submittal.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Ken Merrill[kmerrill@knrd.org]
From: Bray, Dave
Sent: Mon 10/10/2016 4:55:43 PM
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Call me at **Ex. 6**

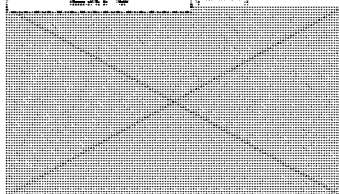
Dave

From: Ken Merrill [mailto:kmerrill@knrd.org]
Sent: Monday, October 10, 2016 9:52 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

We really appreciate it. Better if we can call you?. At what number?--Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, October 10, 2016 9:30 AM
To: Ken Merrill; Ken Merrill
Cc: Wilson, Wenona; Zach Welcker; Deane Osterman
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Ken,

I'll call you at 10:30.

Dave

From: Ken Merrill [mailto:kmerrill@knrd.org]
Sent: Thursday, October 06, 2016 8:46 PM
To: kmerrill@knrd.org; Bray, Dave <Bray.Dave@epa.gov>
Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>; Deane Osterman <dosterman@kalispeltribe.com>
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Dave,
Forgot about Monday because the Tribe's not really into celebrating Colombus Day:) We do very much appreciate your offer though, and how about a short call at 10:30 AM, Monday? We will wait for your call on my number below.
Thank you --Ken

Ken Merrill
Kalispel Natural Resources
509-447-7276

-----Original Message-----

From: Bray, Dave [Bray.Dave@epa.gov]
Received: Thursday, 06 Oct 2016, 5:49PM
To: Ken Merrill [kmerrill@knrd.org]

CC: Wilson, Wenona [Wilson.Wenona@epa.gov]; Zach Welcker [ZWelcker@kalispeltribe.com]; Deane Osterman [dosterman@kalispeltribe.com]

Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Ken,

Monday is a federal holiday and I'm tied up all day on Tuesday.

If we can make it a short call, I'm willing to do it sometime on Monday, just not too early in the morning

Ex. 6

Let me know some times that would work for you and I'll get back to you.

Dave

From: Ken Merrill [mailto:kmerrill@knrd.org]

Sent: Thursday, October 06, 2016 4:12 PM

To: Bray, Dave <Bray.Dave@epa.gov>

Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>; Deane Osterman <dosterman@kalispeltribe.com>

Subject: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Dave,

We have reached out to potential consultants for preparing the technical report and have some more questions about the actual scope of analysis necessary for our redesignation. We have the chance to get this done relatively quickly, but we were hoping that you would be available for a call on Monday or early Tuesday to help clarify some of the scope questions.

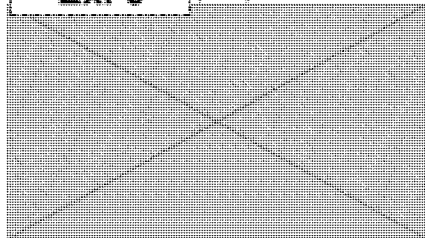
Thanks again for your help --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180

(509) 447-7276 (office)

Ex. 6

(cell)



To: Ken Merrill[kmerrill@knrd.org]; kmerrill@knrd.org[kmerrill@knrd.org]
Cc: Wilson, Wenona[Wilson.Wenona@epa.gov]; Zach Welcker[ZWelcker@kalispeltribe.com]; Deane Osterman[dosterman@kalispeltribe.com]
From: Bray, Dave
Sent: Mon 10/10/2016 4:30:22 PM
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Ken,

I'll call you at 10:30.

Dave

From: Ken Merrill [mailto:kmerrill@knrd.org]
Sent: Thursday, October 06, 2016 8:46 PM
To: kmerrill@knrd.org; Bray, Dave <Bray.Dave@epa.gov>
Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>; Deane Osterman <dosterman@kalispeltribe.com>
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Dave,
Forgot about Monday because the Tribe's not really into celebrating Colombus Day:) We do very much appreciate your offer though, and how about a short call at 10:30 AM, Monday? We will wait for your call on my number below.
Thank you --Ken

Ken Merrill
Kalispel Natural Resources
509-447-7276

-----Original Message-----
From: Bray, Dave [Bray.Dave@epa.gov]
Received: Thursday, 06 Oct 2016, 5:49PM
To: Ken Merrill [kmerrill@knrd.org]
CC: Wilson, Wenona [Wilson.Wenona@epa.gov]; Zach Welcker [ZWelcker@kalispeltribe.com]; Deane Osterman [dosterman@kalispeltribe.com]
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Ken,

Monday is a federal holiday and I'm tied up all day on Tuesday.

If we can make it a short call, I'm willing to do it sometime on Monday, just not too early in the morning

Ex. 6

Let me know some times that would work for you and I'll get back to you.

Dave

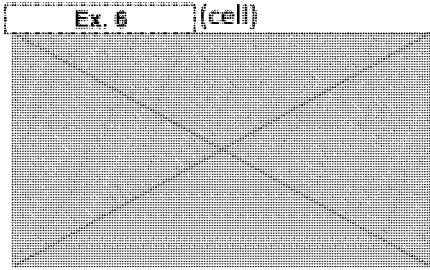
From: Ken Merrill [mailto:kmerrill@knrd.org]
Sent: Thursday, October 06, 2016 4:12 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>; Deane Osterman <dosterman@kalispeltribe.com>
Subject: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Dave,
We have reached out to potential consultants for preparing the technical report and have some more questions about the actual scope of analysis necessary for our redesignation. We have the chance to get this done relatively quickly, but we were hoping that you would be available for a call on Monday or early Tuesday to help clarify some of the scope

questions.

Thanks again for your help --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)



To: Ken Merrill[kmerrill@kalispeltribe.com]
From: Bray, Dave
Sent: Wed 5/3/2017 12:17:56 AM
Subject: RE: Class I proposal process

Will do.

I'm working from home in the morning before I leave for my first meeting so I'll be calling you from my **Ex. 6** number.

Talk tomorrow.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Tuesday, May 02, 2017 5:11 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Class I proposal process

Yes. I will rearrange my schedule to make it work. Please call me around 9 when you are ready.
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Tuesday, May 02, 2017 5:05 PM
To: Ken Merrill
Subject: RE: Class I proposal process

Hi Ken,

I'm booked up with meetings with external partners from 10:00 am to 5:00 pm tomorrow. Could you do something in the morning, say at 9:00 am?

If not, I have a lot of openings on Thursday.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]

Sent: Tuesday, May 02, 2017 4:12 PM

To: Bray, Dave <Bray.Dave@epa.gov>

Subject: Class I proposal process

Hi David,

We have some questions and would like to arrange a call with you tomorrow afternoon if possible.

Thanks --Ken

Kenneth R. Merrill

Manager - Water Resources Program

Kalispel Tribe Natural Resources

PO Box 39, Usk, WA, 99180

(509) 447-7276 (office)

Ex. 6 (cell)



To: Ken Merrill[kmerrill@kalispeltribe.com]
From: Bray, Dave
Sent: Wed 5/3/2017 12:04:32 AM
Subject: RE: Class I proposal process

Hi Ken,

I'm booked up with meetings with external partners from 10:00 am to 5:00 pm tomorrow. Could you do something in the morning, say at 9:00 am?

If not, I have a lot of openings on Thursday.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Tuesday, May 02, 2017 4:12 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: Class I proposal process

Hi David,
We have some questions and would like to arrange a call with you tomorrow afternoon if possible.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Newman, Alan (ECY)[anew461@ECY.WA.GOV]
From: Bray, Dave
Sent: Mon 5/1/2017 7:44:55 PM
Subject: RE: Kalispel Reservation Class I Redesignation

Thanks Al.

I do remember the issue with the ITT Rayonier pulp mill – the Class I area included the Park Headquarters in downtown Port Angeles so increments needed to be addressed at that location as well as in the park proper.

I do think that it could be a challenge for a silicon smelter the size of the one being proposed to locate there in Usk if the Reservation went to Class I. But I also think that an uncontrolled smelter with SO2 and NOx emissions on the order of 2000 tpy each would also have issues meeting the new 1-hour NAAQS given the elevated terrain around that river valley. This one will just be interesting to see how it plays out.

Dave

From: Newman, Alan (ECY) [mailto:anew461@ECY.WA.GOV]
Sent: Monday, May 01, 2017 12:36 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Kalispel Reservation Class I Redesignation

Dave,
I haven't heard anything about a get together with the Tribe or others either.

There might have been an increment issue with a Class I area before 1990, but I can't think which plant it might have been.

In my experience if we have required going beyond BACT on a source or setting a limit that is tighter than BACT in other jurisdictions, we did it for visibility protection reasons, not increment.

It would take some sleuthing to go back before 1990. Considering the modeling tools we had available then and earlier, it is likely that we wouldn't have seen any increment analyses for a Class I area beyond the old ITT Rayonier pulp mill in Port Angeles.

I just don't think we have any PSD type/sized sources close enough to a Class I area for Class I increment to be an issue.

Alan Newman

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, May 01, 2017 11:43 AM
To: Newman, Alan (ECY) <anew461@ECY.WA.GOV>
Subject: RE: Kalispel Reservation Class I Redesignation

Hi Al,

I haven't heard anything more from the Tribe about a public meeting and we've not received a submittal from the Tribe for a redesignation.

I'd been thinking about what I'd say if there was a public meeting and had a question for you.

Do you know if any PSD permit in Washington ever had something better than BACT required as a result of needing to comply with a Class I increment?

Given the number of Class I areas in Washington, I was wondering if the increments have ever been an issue. Of course, the Class I areas tend to be a ways away from the urban, industrialized areas, but some large sources (e.g., GHE) are clearly upwind of Class I

areas.

Thanks for any info you've got.

Dave

From: Newman, Alan (ECY) [<mailto:anew461@ECY.WA.GOV>]

Sent: Wednesday, April 19, 2017 1:59 PM

To: Bray, Dave <Bray.Dave@epa.gov>

Subject: Re: Kalispel Reservation Class I Redesignation

I can call you about 4 today. I am in training till 3:30.

Sent from my iPhone

On Apr 19, 2017, at 1:24 PM, Bray, Dave <Bray.Dave@epa.gov> wrote:

Hi Al,

Do you have a few minutes to chat about the Kalispel Tribe's proposal to redesignate their Reservation to PSD Class I?

There's been some misinformation circulating on the internet (yeah, another example of how social media can distribute both good and bad info) and the Tribe is thinking about how to get correct information out there.

One thing they're thinking about is a public meeting that would include presentations by both EPA and Ecology on how increments are implemented and enforced. For example, one thing that is being said is that a Class I designation would prevent people in Pend Oreille County from using their woodstoves or doing any open burning.

Let me know when a good time to chat would be.

Thanks

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

To: Newman, Alan (ECY)[anew461@ECY.WA.GOV]
From: Bray, Dave
Sent: Mon 5/1/2017 6:42:49 PM
Subject: RE: Kalispel Reservation Class I Redesignation

Hi Al,

I haven't heard anything more from the Tribe about a public meeting and we've not received a submittal from the Tribe for a redesignation.

I'd been thinking about what I'd say if there was a public meeting and had a question for you.

Do you know if any PSD permit in Washington ever had something better than BACT required as a result of needing to comply with a Class I increment?

Given the number of Class I areas in Washington, I was wondering if the increments have ever been an issue. Of course, the Class I areas tend to be a ways away from the urban, industrialized areas, but some large sources (e.g., GHE) are clearly upwind of Class I areas.

Thanks for any info you've got.

Dave

From: Newman, Alan (ECY) [mailto:anew461@ECY.WA.GOV]
Sent: Wednesday, April 19, 2017 1:59 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: Re: Kalispel Reservation Class I Redesignation

I can call you about 4 today. I am in training till 3:30.

Sent from my iPhone

On Apr 19, 2017, at 1:24 PM, Bray, Dave <Bray.Dave@epa.gov> wrote:

Hi Al,

Do you have a few minutes to chat about the Kalispel Tribe's proposal to redesignate their Reservation to PSD Class I?

There's been some misinformation circulating on the internet (yeah, another example of how social media can distribute both good and bad info) and the Tribe is thinking about how to get correct information out there.

One thing they're thinking about is a public meeting that would include presentations by both EPA and Ecology on how increments are implemented and enforced. For example, one thing that is being said is that a Class I designation would prevent people in Pend Oreille County from using their woodstoves or doing any open burning.

Let me know when a good time to chat would be.

Thanks

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

To: Newman, Alan (ECY)[anew461@ECY.WA.GOV]
From: Bray, Dave
Sent: Wed 4/19/2017 8:24:34 PM
Subject: Kalispel Reservation Class I Redesignation

Hi Al,

Do you have a few minutes to chat about the Kalispel Tribe's proposal to redesignate their Reservation to PSD Class I?

There's been some misinformation circulating on the internet (yeah, another example of how social media can distribute both good and bad info) and the Tribe is thinking about how to get correct information out there.

One thing they're thinking about is a public meeting that would include presentations by both EPA and Ecology on how increments are implemented and enforced. For example, one thing that is being said is that a Class I designation would prevent people in Pend Oreille County from using their woodstoves or doing any open burning.

Let me know when a good time to chat would be.

Thanks

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

To: Ken Merrill[kmerrill@kalispeltribe.com]
Cc: Khatibi, Mehrdad[khatibi.mehrdad@epa.gov]
From: Bray, Dave
Sent: Mon 4/17/2017 7:52:04 PM
Subject: RE: Class I and concern for shutting down wood stoves, road sanding, burning brush,

Hi Ken,

Yes, we can chat.

How does 1:30 work for you?

Dave

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Monday, April 17, 2017 12:24 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: Class I and concern for shutting down wood stoves, road sanding, burning brush,

Hi David,
I would like to speak with you today if possible. We have many comments how Class I will stop everything like wood stove use, brush pile burning, and road sanding based on bad information distributed on Facebook by a local County official. I know how I would answer, but we are meeting with Tribal Leaders tomorrow and our Department needs to speak with absolute certainty.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

 (cell)



To: Ken Merrill[kmerrill@kalispeltribe.com]
From: Bray, Dave
Sent: Mon 3/27/2017 7:58:46 PM
Subject: RE: Kalispel draft FAQ for Class I redeg

Hi Ken,

This looks pretty good except for #6 as you correctly surmised.

I suggest something along the lines of:

6. What pollutants are addressed by the PSD area classification system?

The PSD program currently regulates three pollutants under the PSD area classification system: sulfur dioxide, nitrogen dioxide, and particulate matter. For these three pollutants, PSD “increments” have been established for Class I, II, and III areas which define the allowed amount of degradation.

The only other thing you should be prepared to discuss is the fact that the Prevention of Significant Deterioration program is intended to ensure that degradation of airsheds doesn’t exceed the applicable increments as a result of increases in emissions from all sources, not just new major stationary sources and major modification.

Yes, only new major stationary sources and major modifications to existing major stationary sources get upfront review of increment consumption as part of their preconstruction permit, but increases in emissions from other sources (minor stationary sources, area sources, mobile sources) can still consume increment. EPA’s rules require a periodic review of increment consumption to see if it has been exceeded, and if so, then the responsible air authority is supposed to come up with a plan to reduce emissions from the increment consuming sources. Few, if any, States have done those periodic reviews because it is believed that increments are not being exceeded. In general, emissions from minor, area, and mobile sources have been decreasing as a result of EPA’s national regulations under the mobile source program and national emission standards under sections 111 and 112 of the Act, so it is unlikely that increment exceedances would be found. However, it is still part of the PSD program that can be used to ensure that the airshed doesn’t degrade significantly. For example, the Kalispel Tribe could periodically look at the area surrounding the Reservation (say out to 50 km) to see if there have been significant changes in emissions, and if so, could do a modeling analysis to assess how much of the Class I increment has been consumed or expanded since the minor source baseline date.

Hope this helps and, as always, let me know if you have any further questions or want to discuss this further.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Saturday, March 25, 2017 1:00 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: Kalispel draft FAQ for Class I redeg

Hi David,
We are trying to help prevent some of the misinformation rhetoric we are hearing. Could you take a quick look at the attached FAQ and see if we might be misleading anyone in the FAQ. We are trying to send it to the County before Wednesday
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources

PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: kmerrill@knrd.org[kmerrill@knrd.org]
From: Bray, Dave
Sent: Thur 10/6/2016 6:34:06 PM
Subject: FW: Mississippi Silicon: Source impact analysis
[Mississippi Silicon, LLC Application.pdf](#)
[MS Letter dated 5-28-15.pdf](#)
[MS letter dater 3-19-15 Modeling.pdf](#)
[MSSiliconResponse_062215.pdf](#)

Hi Ken,

Bryan was able to get some more information from our Region 4 office. I haven't had a chance to review these in detail but there is a lot more here on the modeling analyses for the Mississippi plant.

I'm going to have our new modeler take a quick look at this to let me know if it provides us with any useful insights as to what the impacts could be from a new smelter near your Reservation.

Dave

From: Holtrop, Bryan
Sent: Thursday, October 06, 2016 7:31 AM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: FW: Mississippi Silicon: Source impact analysis

Hi Dave – Attached is some additional information from Region 4 including the full PSD application including all the required modeling. Based on the attached correspondence it appears Region 4 was involved in reviewing the modeling and eventually provided its approval. Let me know if further information is needed. Thanks, Bryan.

Bryan Holtrop
Office of Air and Waste
Stationary Source Unit
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, OAW-150
Seattle, Washington 98101

(206) 553-4473
holtrop.bryan@epa.gov

From: Shepherd, Lorinda
Sent: Thursday, October 06, 2016 6:41 AM
To: Holtrop, Bryan <Holtrop.Bryan@epa.gov>
Cc: Ceron, Heather <Ceron.Heather@epa.gov>; Krivo, Stan <Krivo.Stanley@epa.gov>
Subject: RE: Mississippi Silicon: Source impact analysis

Bryan,

I have attached the original application and a couple of letters that summarize some of the comments and discussions between EPA and MDEQ. There are more than 2 years' worth of communications in the file, much of it focused on the modeling. Jacqueline (Jackie) Evans is the MDEQ modeler that worked on this with Stan Krivo of our staff. They may have more of the technical information if what you are looking for isn't in these documents. The number I have for Jackie is (601) 961-5163.

Let me know if I can be of further help.

Lori Shepherd
Environmental Scientist
Air Permitting Section
EPA Region 4
61 Forsyth Street
Atlanta, GA 30303

From: Ceron, Heather
Sent: Thursday, October 06, 2016 8:55 AM
To: Holtrop, Bryan <Holtrop.Bryan@epa.gov>
Cc: Shepherd, Lorinda <Shepherd.Lorinda@epa.gov>
Subject: RE: Mississippi Silicon: Source impact analysis

Bryan,

We do have this one. I am copying Lori Shepherd who is our NSR expert here. She should be able to get it to you.

From: Holtrop, Bryan
Sent: Wednesday, October 05, 2016 6:29 PM
To: Ceron, Heather <Ceron.Heather@epa.gov>
Subject: Mississippi Silicon: Source impact analysis

Hi Heather – Do you know if R4 received a copy of the PSD permit application and specifically the air impact modeling done for the attached Mississippi Silicone PSD Permit? If so could I get a copy of the PSD modeling analysis? If Region 4 does not have it do you know anyone at MDEQ who could provide it quickly. I called a John Kwoka who is listed as the permit writer for this facility but I got his voicemail. I called late in the day about 6pm Mississippi time so he had probably left for the day. R10 has a Silicone Smelter who is proposing to locate in one of our states (Washington) and we are working with one of our Tribes that is downwind of this potential facility to see if they should seek Class I designation for their reservation but we need the modeling analysis for Mississippi Silicone as the proposed facility is expected to be similar in emissions. I think I remember you used to work for MDEQ and if R4 did not have the PSD modeling analysis you would know who in MDEQ to call to get as quickly as possible. Any help you could provide would be greatly appreciated. Thanks, Bryan.

Bryan Holtrop
Office of Air and Waste
Stationary Source Unit
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, OAW-150
Seattle, Washington 98101

(206) 553-4473
holtrop.bryan@epa.gov